



ARB-633-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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ARB-633-2024

Date of Decision: 18.12.2024

M/s Indo Groups

...Applicant

Versus

**Executive Engineer, Construction Division No 2, PWD (B&R), Amritsar
and others** **...Respondents**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Rashika Bansal, Advocate,
for Mr. Dheeraj Mahajan, Advocate for the applicant
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.
2. Pursuant to tender, the applicant was allotted work by the respondent vide letter dated 20.04.2020 (Annexure P-1). A dispute erupted between the parties. There is an arbitration clause in the tender document. The allotment of work, arbitration clause in tender document and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned State counsel submits respondent-State may be granted liberty to raise all issues before the Arbitrator.
4. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

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5. Mr. Justice M.M.S. Bedi, Former Judge of this Court, residing at House No.2152, Sector 44-C, Chandigarh- 160047, Mobile No.9780008126 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.

6. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.

10. A request letter along with copy of this order be sent to Mr. Justice M.M.S. Bedi.

(JAGMOHAN BANSAL)
JUDGE

18.12.2024*Mohit Kumar*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No